

REMARKS/ARGUMENTS

1. Applicants acknowledge with appreciation the courtesy of a telephonic interview on December 20, 2004 between Examiner James Reagan, Primary Examiner John Hayes, Applicants' Attorney Jeffrey Klayman, and Applicant (and Attorney) Bruce Sunstein to discuss the Office action of November 17, 2004. Mr. Sunstein pointed out that none of Pare, Bianco, and Berson includes an enrollment phase during which personal information to be protected using physiological identifiers is provided by the user. The Examiner pointed to Berson column 2, line 35, as an example of a user providing personal information (e.g., a social security number), but Mr. Sunstein pointed out that, in Berson, the user provides such personal information so that external databases containing information about the user can be found and potentially corrected; the user does not provide the personal information in the context of a repository of personal information provided by the user and protected against unauthorized modification using physiological identifiers. A discussion ensued regarding the difference between biometrics and personal identification (PIN) codes during which Mr. Sunstein discussed three types of authentication including tokens, secrets, and biometrics. Mr. Sunstein pointed out that the effect of the claimed invention is essentially a "data vault" in which biometrics are used to authenticate a person purporting to be a user who seeks to modify information provided by that user. A proposed amendment, reflected in the amended claims above, was tentatively approved by the Examiner.

Examiner Reagan and Mr. Klayman spoke again on February 16, 2005 regarding the Examiner's position that the claim amendments necessitate further search.

Examiner Reagan and Mr. Klayman spoke again on February 22, 2005. Mr. Klayman requested that the amendments be entered so as to place the claims

in a preferred condition for appeal. Examiner Reagan indicated that had spoken with his supervisor and that they would not be entering the amendments.

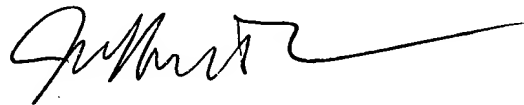
Examiner Reagan and Mr. Klayman spoke again on February 23, 2005, at which time Mr. Klayman informed Examiner Reagan that the RCE would be filed and the Notice of Appeal would be withdrawn.

2. Claims 1, 2, 17, 29, 30, 31, 36, and 39 have been amended.

The amendments of claims 1, 2, 17, 29, 30, 31, 36, and 39 clarify that, in accordance with embodiments of the invention as claimed, there is established a repository of personal information using physiological identifiers to protect against unauthorized modification. The user provides his or her own personal information to be protected using biometrics, and only that user can modify the personal information upon being authenticated using one or more physiological identifiers. In this respect, the repository can become a trusted source of personal information. None of the cited references teach or otherwise suggest, alone or in combination, such a repository of personal information.

3. Claims 1-50 are pending in this application. All pending claims are believed to be in a form suitable for allowance. Therefore, the application is believed to be in a condition for allowance. The Applicant respectfully requests early allowance of the application. The Applicant requests that the Examiner contact the undersigned, Jeffrey T. Klayman, if it will assist further examination of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jeffrey T. Klayman', with a long horizontal flourish extending to the right.

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